



State of California
Respiratory Care Board
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Inquiry: (1) Does a sleep diagnostic center operation, as described in the attached description of business operations, fall within the purview of a respiratory therapist's license? (2) If it does, can a state licensed respiratory therapist have his wife, an unlicensed person, as his business partner?

Response: Regarding a sleep diagnostic center operation falling within the purview of a respiratory care practitioners (RCPs) license, please be advised that the Respiratory Care Practice Act (RCPA) authorizes the performance of sleep studies by licensed RCPs.

Regarding licensed RCPs having an unlicensed person (wife) as a business partner, please be advised that the RCPA contains no provisions regarding the conduct of any business by a licensed RCP. The RCPA neither authorizes nor prohibits the business relationship described in your inquiry.

Reference # 2001-C-13